

The FCC recently opened a proceeding on broadcast localism.⁴⁵ Congress might choose to direct the FCC, in that proceeding, to undertake a rulemaking to explicitly identify, or provide written guidance about, the obligations of licensees with city of license in an outlying city to a major city to specifically serve the needs and interests of the viewers in their city of license.⁴⁶ It also might choose to direct the Commission to address how it would enforce those obligations. For example, under what circumstances, if any, could failure to serve the needs and interests of its community of license result in a license not being renewed (or being revoked)?

Broadcaster Obligations Beyond the City of License

At the same time, current FCC rules are not clear about the broadcast television licensees' obligations to serve viewers within their service area who are beyond the borders of the city of license, but not in a larger nearby city with its own licensed broadcast television stations. As shown in **Figure 1**, in many situations, the television household population beyond the city of license exceeds that within the city of license. This, in itself, provides broadcasters with some economic incentive to be responsive to the needs and interests of these viewers. But news and information programming is relatively expensive to produce, and unless such programming is of general interest to a relatively broad portion of the potential viewing audience, there is always the risk of losing audience. Thus, Congress might choose to direct the Commission, as part of its current proceeding on broadcast

⁴⁵ Notice of Inquiry, *In the Matter of Broadcast Localism*, MB Docket No. 04-223, adopted June 7, 2004 and released July 1, 2004. Initial comments are due on November 1, 2004.

⁴⁶ Commission decisions to date do not provide explicit guidance. For example, in the FCC license renewal decision most on point here, *In re Application of WHYY, Inc. for Renewal of License of Station WHYY-TV, Wilmington, Delaware*, 93 F.C.C. 2d 1086 (1983), the Broadcast and Communications Commission of the City Council of Wilmington, Delaware challenged renewal of the license, alleging that the station broadcast more programming that focused on Philadelphia than on Wilmington. The Commission found that over its "last license term, WHYY provided an average of less than 3-3 ½ hours per week of programming exclusively addressed to the needs and interests of Delaware residents. Thus, it would appear there has been an erosion in the commitments which led the Commission to grant the construction permit application of WHYY. This erosion, however, does not indicate that WHYY has failed to fulfill its obligations and to treat Wilmington as its primary service area. As the Commission has previously stated, 'licensees are not bound to strict, inflexible adherence to program proposals, but are afforded broad discretion in the manner in which they respond to community problems.' *Educational Broadcasting Corporation* ... 31 FCC 85 (1961)." (93 F.C.C. 2d 1095). In the decision, the Commission goes on to state: "Programming which reflects service to Wilmington as WHYY's primary service area is not limited to programming which exclusively involves Delaware persons and issues. Regional, national and international topics may be of interest to residents of Wilmington as well as programs specifically designed for Delaware. The interests of Delaware residents, it can be concluded, flow beyond the confines of the borders of Delaware to topics of interest outside the state. Such interests are addressed by such national programs as the *McNeil-Lehrer Report*, *Wall Street Week*, *Over Easy*, and *The Advocates*, which are broadcast by the licensee. However, despite the wealth of national programs, an educational licensee must also provide a local program service which addresses the unique problems, needs and interests of the community it is licensed to serve." *Id.* at 1095-1096.

localism, to explicitly identify, or provide written guidance about, the obligations of licensees to serve the portion of their viewership that lies outside the city of license but not in large nearby cities with their own licensed broadcast television station. It also might choose to direct the Commission to address how it would enforce those obligations.

Broadcaster Obligations and Multicasting

In 1999, the FCC issued a notice of inquiry concerning the public interest obligations of broadcast television licensees as they transition to digital television.⁴⁷ The Commission subsequently has issued two notices of proposed rulemaking as well as periodic reviews of the Commission's rules and policies affecting the conversion to digital television, and in September 2004 voted to adopt children's programming obligations for digital television broadcasters.⁴⁸ The Commission has incorporated the relevant portions of the comments received in those rulemakings and periodic reviews into its broadcast localism proceeding.⁴⁹

Technological change has the potential to help broadcasters better meet the local needs of their viewers. With digital transmission, one option available to licensees is to use their 6 MHz of spectrum for multicasting – that is, to broadcast multiple programming streams. As the Commission develops rules addressing digital broadcast television public interest obligations, it might try to construct rules that foster programming that meets the possibly divergent needs of viewers within the city of license and viewers beyond the city of license. For example, it might consider modifying the current rule that requires cable operators to carry only the primary programming stream of each local television broadcaster by requiring cable operators to carry each programming stream that offers distinct programming aimed at a different, previously unserved geographic portion of the broadcaster's serving area. This could explicitly address those situations in which a broadcaster's serving area crosses state borders, awarding the broadcaster must carry rights for a second signal if the programming on that signal specifically addresses the needs and interests of the viewing households in the second state. If the FCC were to consider this approach, it would want to take into account the impact on cable systems of requiring them to carry additional broadcast channels. It also would want to determine how best to construct a rule that did not artificially encourage or discourage broadcasters from choosing multicasting over other potential applications of digital technology to their 6 MHz of spectrum, such as high definition television. Congress might choose to

⁴⁷ *Public Interest Obligations of TV Broadcast Licensees*, 14 FCC Rcd 21633 (1999), commonly known as the "DTV Public Interest NOI."

⁴⁸ See, for example, *Standardized and Enhanced Disclosure Requirements for Television Broadcast Licensee Public Interest Obligations*, 15 FCC Rcd 19186 (2000); *Children's Television Obligations of Digital Television Broadcasters*, 15 FCC Rcd 22946 (2000); *Second Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television*, 18 FCC Rcd 1279 (2003); FCC Press Release, "FCC Adopts Children's Programming Obligations for Digital Television Broadcasters," Report and Order FCC 04-221, MM Docket 00-167, adopted and announced September 9, 2004.

⁴⁹ Notice of Inquiry, *In the Matter of Broadcast Localism*, MB Docket No. 04-223, adopted June 7, 2004 and released July 1, 2004, at paragraph 8.

direct the FCC, in its current proceeding on implementation of the digital transition, to study and construct recommendations for rules (and, if necessary, statutory changes) to address the potentially related issues of mandatory carriage of multiple broadcast signals and better serving the needs and interests of viewers in different governmental jurisdictions.

Increasing the Flexibility of Cable Carriage Rules

As explained earlier, the existing array of must carry and non-duplication rules and compulsory copyright license fees may restrict or discourage cable operators that happen to be located in a DMA that has its primary city in another state from carrying the signals of broadcasters in their own state that are located in a different DMA. This can decrease viewer access to both informational and entertainment programming of state-wide interest. The data presented in Table 1 suggest this may not be an isolated occurrence. In many states a substantial number and percentage of television households are in DMAs in which the primary city is located outside the state and in which most of the television stations have city of license outside the state.

However, there is a degree of flexibility in the must carry rules (the statutory provision allowing cable operators to request that they be allowed to carry signals from outside their DMA that would foster localism), the non-duplication rules (allowing "significantly viewed" stations to be carried without having duplicated programming blocked), and the copyright laws (providing a royalty-free permanent compulsory copyright license for the secondary transmission of programming of broadcast stations that are "significantly viewed" in the cable system's service area).

Congress might choose to direct the FCC, when reviewing its existing rules as part of its current broadcast localism proceeding, to heed the flexibility that Congress has given it to implement and administer its rules in a fashion that fosters localism. It might instruct the Commission to study whether there are narrowly-defined conditions under which the existing non-duplication rules can be loosened to foster the cable carriage of programming of state-wide interest without undermining the goals and objectives of those rules. It also might ask the Commission to explore how it could best allow exceptions to its current rule that uses DMAs to determine which broadcast television signals a cable company must carry. As indicated earlier, the Commission has ruled that only broadcast licensees and cable operators have standing to request exceptions to the current rule restricting must carry rights to stations within the DMA. The Commission might investigate whether it would be in the public interest for other parties, such as state officials, to be able to make such a request based on a demonstratively positive impact on localism. It also might investigate whether it would be in the public interest for the Commission, itself, to have the right to propose an exception to the rule on its own authority. If it were to reach the conclusion that such authority would be in the public interest, it might recommend to Congress that the statute be modified to give it that authority.⁵⁰

⁵⁰ With respect to copyright, some observers claim that the carriage of in-state programming would be fostered by expanding the congressionally mandated royalty-free compulsory (continued...)

The Commission already has concluded that the parties currently with standing to seek an exception – the broadcast licensee and the cable system operator – have knowledge of key relevant parameters (for example, the demand for particular types of programming, the programming available both on the specific broadcast station and on the cable system, the geographic reach of the broadcast station's grade B contours, etc.) not readily available to state officials or the FCC. Adding or deleting must carry stations will change the array of programming available to the cable system's subscribers and any party seeking to change the line-up of channels should have sufficient information on subscribers' preferences to be confident that consumers will be better served by the proposed change in programming.

Increasing the Flexibility of Satellite Local-into-Local Programming

Today, by statute, if satellite operators choose to offer local-into-local service they can only provide their subscribers the signals of stations located in their DMA, unless the subscribers are "unserved" by broadcast signals.⁵¹ Even when a satellite subscriber is located in a DMA in which the primary city is in another state and most or all of the television broadcasters in that DMA are in another state, the satellite operator cannot offer that subscriber in-state but outside-the-DMA broadcast signals as local-to-local service.⁵²

These restrictions deny some subscribers access to programming they may want and, in so doing, place satellite systems at a competitive disadvantage vis-a-vis cable systems that under many circumstances can negotiate retransmission consent agreements to provide such programming. The data presented in Table 1 suggest that this is not an isolated occurrence. Residents in many states face this problem and in a number of states a substantial portion of the residents face this problem. This is especially significant in rural areas that may not be served by cable systems.

⁵⁰ (...continued)

license to include the secondary transmission of signals of those stations located in the same state, but outside the DMA, of the cable franchise, but that are not "significantly viewed" by television households in the county in which the cable franchise is located. Copyright holders argue, however, that now that cable is no longer an infant industry it is inappropriate to maintain the current royalty-free compulsory license, no less expand its scope.

⁵¹ SHVIA Act, which is Title I of the Intellectual Property and Communications Omnibus Reform Act of 1999, included by cross reference in the FY2000 Consolidated Appropriations Act, P.L. 106-113.

⁵² Unless the subscriber happens to be eligible to receive distant signals because she cannot receive signals of at least Grade B intensity over the air – and these signals happen to be from a distant station that is in the same state as the subscriber – the subscriber is denied access to state-specific programming. For example, in Figure 3, if there are no broadcast stations located in the portion of DMA F that is in state Y, then subscriber Z would be denied access to state-specific programming. Because subscriber Z is located within the Grade B contour of stations broadcasting from city M, she would not be eligible to receive distant signals from her satellite operator to "substitute" for over the air broadcast stations. If she happened to be located beyond the Grade B contour of stations broadcasting from within DMA F, however, she would be eligible to receive distant signals, and these could be – at the discretion of the satellite operator – from within state Y.

One possible solution is to give satellite operators (and their subscribers) the same access to local broadcast programming as cable operators enjoy by taking steps that would expand the choice of broadcast television station signals that satellite systems can provide as local-into-local service.

One possible step would be to add to the local-into-local rules the same flexibility provided by the "localism exception" in the cable must carry rules discussed earlier.⁵³ This would provide a mechanism for allowing the carriage of otherwise prohibited signals if the FCC were to determine that such carriage would foster localism.

Another possible step would be to allow satellite operators to offer as local-into-local service the broadcast signals of stations that are "significantly viewed" in the county in which the subscriber is located. To take into account that a majority of households now subscribe to MVPD services, the threshold percentages could be applied to the MVPD as well as non-MVPD households in the county.

A third step might be to address the current discrepancy in the copyright laws as they apply to the secondary transmission of local broadcast signals by cable and satellite operators. The U.S. copyright statute, at 17 U.S.C. 111, gives cable system operators a royalty-free permanent compulsory copyright license for the secondary transmission of the signals of both broadcast stations in the same DMA as the cable system and stations that are "significantly viewed" in the cable system's service area. In contrast, the statute, at 17 U.S.C. 122, gives satellite system operators a royalty-free permanent compulsory license for the secondary transmission of only the signals of those broadcast stations located in the same DMA as the subscriber. This discrepancy could be eliminated if the royalty-free compulsory copyright license were extended to the secondary transmission of the broadcast television signals of all stations "significantly viewed" in the area where the subscriber is located. Copyright holders, however, claim that the current royalty-free compulsory license available to cable and satellite television providers cannot be justified – these providers are no longer infant industries in need of subsidy – and definitely should not be expanded.

The House has passed H.R. 4518, which includes provisions that generally take this approach. It would authorize, subject to certain limitations, a satellite carrier to retransmit to subscribers located in a community the signal of any station that a cable system in the same community is authorized to retransmit, if the station is treated as significantly viewed in the county in which the community is located in accordance with FCC rules. If the community is not served by a cable system, the satellite carrier would be authorized to retransmit the signal of any station that a cable company would be allowed to retransmit. In addition, satellite carriers could petition the Commission to add to the stations and communities eligible for retransmission. Also, the exception to the non-duplication rules that the cable systems currently enjoy *when they meet the "significantly viewed" criteria would be extended to satellite systems*. It also would grant to satellite operators a statutory royalty-free compulsory copyright license for the secondary transmission of network broadcast signals to a subscriber who resides outside the DMA of the broadcast station but within a

⁵³ 47 U.S.C. § 534.

community in which the signal of that station is "significantly viewed." S. 2013 also contains this last provision.

H.R. 4518 also includes provisions that would create narrowly crafted exceptions to the current statutory language restricting local-into-local service to broadcast stations located in the same DMA as the subscriber; some observers have stated that Section 102(C) appears to apply only to New Hampshire, Vermont, and Mississippi. S. 2644 includes language that observers have suggested applies only to New Hampshire (section 10 of the bill), Vermont (section 10), Oregon (section 11), and Alaska (section 12). S. 2013 includes language (in section 3) that observers have suggested applies only to New Hampshire and Vermont.

These state specific provisions could give subscribers in those particular states fast relief. Time would not be needed to craft and implement new rules. Since so many states or localities have unique circumstances, it might be difficult to craft rules that would address all situations. At the same time, the data in **Table 1** strongly suggest that the impact of the current statutory limits on the signals that satellite subscribers can receive as local-into-local service may be widespread. The narrowly crafted state-specific language in the various bills is unique for each state, and thus does not address the broader issue. Some observers may argue that, in the long run, the goal of localism may be better served by statutory language that generally relaxes the rules than by language that addresses only individual cases.

Table 1: Television Households in Each State That Are Located in Designated Market Areas (DMAs) for Which the Primary City Is Outside the State

State	# TV households	Counties in DMAs for which primary city is outside the state DMA: County	# TV households in DMAs for which primary city is outside the state	% of TV households in DMAs for which primary city is outside the state	Currently operating full power broadcast TV stations in DMAs for which primary city is outside the state
Alabama	1,768,300	Atlanta, GA DMA: Cleburne, Randolph Columbus, GA DMA: Chambers, Lee, Russell, Barbour Columbus-Tupelo-West Point, MS DMA: Lamar Meridian, MS DMA: Sumter, Choctaw	5,790+8,960+ 14,660+48,700+19,770+10,650+ 6,450+ 5,500+6,190= 126,670	7.16%	Atlanta, GA DMA: no station with city of license in AL; Columbus, GA DMA: 1 (UHF analog and digital) commercial station with city of license in Opelika, AL and 1 (UHF analog and digital) non-commercial station transmitting from Louisville, AL; Columbus-Tupelo-West Point, MS DMA: no station with city of license in AL; Meridian, MS DMA: no station with city of license in AL
Alaska	193,630	none -- but some extremely low density areas lie outside DMAs	0	0.00%	
Arizona	2,046,350	Albuquerque-Santa Fe, NM DMA: Apache-North	13,390	0.65%	Albuquerque-Santa Fe, NM DMA: no station with city of license in AZ

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State	# TV households	Counties in DMAs for which primary city is outside the state DMA: County	# TV households in DMAs for which primary city is outside the state	% of TV households in DMAs for which primary city is outside the state	Currently operating full power broadcast TV stations in DMAs for which primary city is outside the state
Arkansas	1,057,360	<p>Memphis, TN DMA: Mississippi, Crittenden, Poinsett, Cross, Saint Francis, Lee, Phillips</p> <p>Springfield, MO DMA: Fulton, Baxter, Marion, Boone, Newton, Carroll</p> <p>Shreveport, LA DMA: Howard, Sevier, Little River, Hempstead, Nevada, Miller, Lafayette, Columbia,</p> <p>Greenwood-Greenville, MS DMA: Chicot</p> <p>Monroe, LA-El Dorado, AR DMA: Union, Ashley</p>	<p>18,740+18,660+ 9,930+7,380+ 9,780+ 4,070+ 9,020+</p> <p>4,790+ 16,900+6,940+ 14,220+3,530+ 10,380+</p> <p>5,370+5,560+5,370+ 8,840+3,790+15,650+ 3,330+9,680+</p> <p>4,950+</p> <p>17,760+ 9,230= 223,870</p>	21.17%	<p>Memphis, TN DMA: no station with city of license in AR;</p> <p>Springfield, MO DMA: 1 UHF analog commercial station with city of license in Eureka Springs, AR and 1 UHF analog commercial station with city of license in Harrison, AR;</p> <p>Shreveport, LA DMA: no station with city of license in AR;</p> <p>Greenwood-Greenville, MS DMA: no station * with city of license in AR;</p> <p>Monroe, LA-El Dorado, AR DMA: no station with city of license in AR</p>

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State	# TV households	Counties in DMAs for which primary city is outside the state DMA: County	# TV households in DMAs for which primary city is outside the state	% of TV households in DMAs for which primary city is outside the state	Currently operating full power broadcast TV stations in DMAs for which primary city is outside the state
California	11,774,780	Reno, NV DMA: Alpine, El Dorado East, Mono, Lassen Smedford-Klamath Falls, OR DMA: Siskiyou Yuma, AZ-El Centro, CA DMA: Imperial	480+13,770+4,690+ 9,560+ 17,610+ 41,550= 87,660	0.74%	Reno, NV DMA: no station with city of license in CA; Medford-Klamath Falls, OR DMA: no station with city of license in CA; Yuma, AZ-El Centro, CA DMA: 1 VHF analog Fox-affiliated commercial station with city of license in El Centro, CA and 1 VHF analog Univision-affiliated commercial station with city of license in El Centro
Colorado	1,738,830	Albuquerque, NM DMA: Montezuma, La Plata	9,390+17,340= 26,730	1.54%	Albuquerque, NM DMA: 1 (VHF analog and digital) CBS-affiliated commercial station that is a satellite of an Albuquerque station, and 1 UHF analog Telemundo-affiliated commercial station that is a satellite of an Albuquerque station, all with city of license in Durango, CO
Connecticut	1,331,810	New York City, NY DMA: Fairfield	330,490	24.82%	New York City, NY DMA: 1 UHF analog commercial station with city of license in Bridgeport, CT, and 1 (UHF analog and digital) non-commercial station transmitting from Bridgeport, CT

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State	# TV households	Counties in DMAs for which primary city is outside the state DMA: County	# TV households in DMAs for which primary city is outside the state	% of TV households in DMAs for which primary city is outside the state	Currently operating full power broadcast TV stations in DMAs for which primary city is outside the state
Delaware	313,630	Philadelphia, PA DMA: Kent, New Castle Salisbury, MD DMA: Sussex	49,460+195,540+ 68,630= 313,630	100.00%	Philadelphia, PA DMA: 1 UHF analog commercial station with city of license in Wilmington, DE, and 1 (UHF analog and digital) non-commercial station transmitting from Wilmington; Salisbury, MD DMA: 1 UHF analog noncommercial station transmitting from Seaford, DE
District of Columbia	244,270	none	0	0.00%	
Florida	6,728,860	Mobile, AL-Pensacola-Fort Walton Beach, FL DMA: Okaloosa, Santa Rosa, Escambia	71,260+47,830+ 115,610= 234,700	3.49%	Mobile, AL-Pensacola-Fort Walton Beach, FL DMA: 3 UHF analog commercial stations with city of license in Fort Walton Beach, FL, 3 (UHF analog and digital) commercial stations (including 1 ABC affiliate) with city of license in Pensacola, FL, and 1 (UHF analog and digital) noncommercial station transmitting from Pensacola, FL

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State	# TV households	Counties in DMAs for which primary city is outside the state DMA: County	# TV households in DMAs for which primary city is outside the state	% of TV households in DMAs for which primary city is outside the state	Currently operating full power broadcast TV stations in DMAs for which primary city is outside the state
Georgia	3,195,950	<p>Greenville-Spartanburg-Anderson, SC-Asheville, NC DMA: Stephens, Franklin, Hart, Elbert</p> <p>Jacksonville, FL DMA: Charlton, Camden, Ware, Glynn, Brantley, Pierce</p> <p>Chattanooga, TN DMA: Dade, Walker, Catoosa, Whitfield, Murray, Chatooga</p> <p>Dothan, AL DMA: Early, Seminole</p> <p>Tallahassee, FL-Thomasville, GA DMA: Decatur, Grady, Thomas, Brooks, Lowndes, Lanier, Echols</p>	<p>10,390+8,290+9,650+8,320+</p> <p>3,400+ 15,490+13,310+28,130+5,930+6,250+</p> <p>5,980+24,050+22,230+30,010+14,780+10,260+</p> <p>4,820+3,640+</p> <p>10,680+9,080+16,940+6,430+33,980+2,730+1,360= 306,130</p>	9.58%	<p>Greenville-Spartanburg-Anderson, SC-Asheville, NC DMA: 1 UHF analog CBS-affiliated commercial station with city of license in Toccoa, GA;</p> <p>Jacksonville, FL DMA: 1 UHF analog commercial station with city of license in Brunswick, GA;</p> <p>Chattanooga, TN DMA: 1 UHF analog commercial station with city of license in Dalton, GA, and 1 (UHF analog and digital) noncommercial station transmitting from Chatsworth-Dalton, GA;</p> <p>Dothan, AL DMA: no station with city of license in GA;</p> <p>Tallahassee, FL-Thomasville, GA DMA: 1 UHF analog FOX-affiliated commercial station with city of license in Bainbridge, GA, and 1 VHF analog CBS-affiliated commercial station with city of license in Thomasville, GA</p>
Hawaii	412,190	none	0	0.00%	

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State	# TV households	Counties in DMAs for which primary city is outside the state DMA: County	# TV households in DMAs for which primary city is outside the state	% of TV households in DMAs for which primary city is outside the state	Currently operating full power broadcast TV stations in DMAs for which primary city is outside the state
ID	486,450	Salt Lake City, UT DMA: Oneida, Franklin, Bear Lake Spokane, WA DMA: Boundary, Bonner, Shoshone, Kootenai, Benewah, Latah, Idaho, Clearwater, Lewis, Nez Perce	1,430+3,650+2,340+ 3,450+ 14,710+5,760+ 43,920+3,560+12,330+5,840+3,390+1,510+14,950= 116,840	24.02%	Salt Lake City, UT DMA: no station with city of license in ID; Spokane, WA DMA: 1 (VHF analog and digital) CBS-affiliated commercial station, affiliated with a station in Yakima, WA, with city of license in Lewiston, ID, 1 (UHF analog and digital) noncommercial station transmitting from Couer d'Alene, ID, and 1 (UHF analog and digital) noncommercial station transmitting from Moscow, ID

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State	# TV households	Counties in DMAs for which primary city is outside the state DMA: County	# TV households in DMAs for which primary city is outside the state	% of TV households in DMAs for which primary city is outside the state	Currently operating full power broadcast TV stations in DMAs for which primary city is outside the state
Illinois	4,648,990	<p>St. Louis, MO DMA: Randolph, Monroe, St. Clair, Washington, Clinton, Marion, Clay, Fayette, Montgomery, Macoupin, Greene, Jersey, Calhoun, Bond, Madison</p> <p>Evansville, IN DMA: Wayne, Edwards, Wabash, White</p> <p>Terre Haute, IN DMA: Clark, Jasper, Crawford, Richland, Lawrence</p> <p>Paducah, KY-Cape Girardeau, MO-Mount Vernon, IL DMA: Jefferson, Perry, Franklin, Hamilton, Gallatin, Saline, Williamson, Jackson, Union, Johnson, Hardin, Pope, Massac, Pulaski, Alexander</p> <p>Davenport, IA-Rock Island-Moline, IL DMA: Henderson, Warren, Knox, Mercer, Henry, Bureau, Rock Island, Whiteside, Carroll, Jo Daviess</p>	<p>12,170+11,020+96,610+5,830+13,050+ 16,190+5,770+8,160+ 11,380+19,590+5,560+8,220+2,060+6,340+ 103,330+</p> <p>7,180+2,890+5,140+ 6,430+</p> <p>7,150+3,850+7,750+ 6,560+6,180+</p> <p>15,560+8,940+16,240+ 3,330+2,650+10,810+ 25,760+23,450+7,320+ 4,310+1,990+1,770+ 6,210+2,860+3,720+</p> <p>3,400+7,040+21,780+ 6,640+20,190+14,170+ 60,110+23,860+6,720+ 9,510= 686,750</p>	14.77%	<p>St. Louis, MO DMA: 1 (UHF analog and digital) commercial station with city of license in East St. Louis, IL;</p> <p>Evansville, IN DMA: no station with city of license in IL;</p> <p>Terre Haute, IN DMA: 1 (UHF analog and digital) noncommercial station transmitting from Olney, IL;</p> <p>Paducah, KY-Cape Girardeau, MO-Mount Vernon, IL DMA: 1 (UHF analog and digital) commercial station with city of license in Marion, IL, 1 (VHF analog and digital) ABC-affiliated commercial station with city of license in Harrisburg, IL, 1 VHF analog commercial station with city of license in Mt. Vernon, IL, 1 (VHF analog and digital) noncommercial station transmitting from Carbondale, IL;</p> <p>Davenport, IA-Rock Island-Moline, IL DMA: 1 (VHF analog and digital) CBS-affiliated commercial station with city of license in Rock Island, IL, 1 (VHF analog and digital) ABC-affiliated commercial station with city of license in Moline, and 1 (UHF analog</p>

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State	# TV households	Counties in DMAs for which primary city is outside the state DMA: County	# TV households in DMAs for which primary city is outside the state	% of TV households in DMAs for which primary city is outside the state	Currently operating full power broadcast TV stations in DMAs for which primary city is outside the state
Indiana	2,382,900	<p>Chicago, IL DMA: Lake, Porter, La Porte, Newton, Jasper</p> <p>Cincinnati, OH DMA: Union, Franklin, Ripley, Dearborn, Ohio, Switzerland</p> <p>Louisville, KY DMA: Harrison, Floyd, Clark, Crawford, Orange, Washington, Scott, Jefferson, Jennings, Jackson</p> <p>Dayton, OH DMA: Wayne</p>	<p>182,170+56,790+ 41,320+5,460+11,160+</p> <p>2,760+7,980+10,270+ 17,540+2,270+3,670+</p> <p>13,660+27,810+40,120+4, 260+7,570+10,540+ 9,120+12,330+10,610+ 16,460+</p> <p>27,950= 521,820</p>	21.90%	<p>Chicago, IL DMA: 1 (UHF analog and digital) commercial station with city of license in Hammond, IN, and 1 UHF analog noncommercial station transmitting from Gary, IN;</p> <p>Cincinnati, OH DMA: no station with city of license in IN;</p> <p>Louisville, KY DMA: 1 (UHF analog and digital) commercial station with city of license in Salem, IN;</p> <p>Dayton, OH DMA: 1 (UHF analog and digital) commercial station with city of license in Richmond, IN</p>

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State	# TV households	Counties in DMAs for which primary city is outside the state DMA: County	# TV households in DMAs for which primary city is outside the state	% of TV households in DMAs for which primary city is outside the state	Currently operating full power broadcast TV stations in DMAs for which primary city is outside the state
Iowa	1,152,630	Omaha, NE DMA: Crawford, Harrison, Shelby, Cass, Pottawattamie, Mills, Montgomery, Fremont, Page Sioux Falls, SD DMA: Lyon, Osceola, Rochester, MN-Mason City, IA-Austin, MN DMA: Winnebago, Worth, Mitchell, Howard, Hancock, Cerro Gordo, Floyd Quincy, IL-Hannibal, MO-Keokuk, IA DMA: Lee	6,360+6,270+5,150+ 6,130+34,260+5,470+ 4,670+3,160+ 6,510+ 4,210+2,750+ 4,670+3,280+4,130+ 3,850+4,740+19,070+ 6,730+ 4,770= 146,180	12.68%	Omaha, NE DMA: 1 (UHF analog and digital) noncommercial station transmitting from Council Bluffs, IA, and 1 UHF analog noncommercial station transmitting from Red Oak, IA; Sioux Falls, SD DMA: no station with city of license in IA; Rochester, MN-Mason City, IA-Austin, MN DMA: 1 (VHF analog and digital) CBS-affiliated commercial station with city of license in Mason City, IA, and 1 UHF analog noncommercial station transmitting from Mason City, IA; Quincy, IL-Hannibal, MO-Keokuk, IA DMA: no station with city of license in IA

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State	# TV households	Counties in DMAs for which primary city is outside the state DMA: County	# TV households in DMAs for which primary city is outside the state	% of TV households in DMAs for which primary city is outside the state	Currently operating full power broadcast TV stations in DMAs for which primary city is outside the state
Kansas	1,044,100	<p>Kansas City, MO DMA: Atchison, Leavenworth, Wyandotte, Douglas, Johnson, Franklin, Miami, Anderson, Linn</p> <p>Tulsa, OK DMA: Chautauqua, Montgomery</p> <p>Lincoln and Hastings-Kearney, NE DMA: Phillips, Smith, Jewell, Republic</p> <p>St. Joseph, MO DMA: Doniphan</p> <p>Joplin, MO-Pittsburg, KS DMA: Woodson, Allen, Bourbon, Wilson, Neosho, Crawford, Labette, Cherokee</p>	<p>6,240+23,870+ 58,030+38,970+ 186,740+10,910+9,510+3, 150+3,950+</p> <p>1,750+14,210+</p> <p>2,350+1,880+1,690+ 2,480+</p> <p>3,290+</p> <p>1,540+5,610+6,090+ 3,850+6,640+15,180+ 8,890+8,770= 425,590</p>	40.76%	<p>Kansas City, MO DMA: 1 (UHF analog and digital) commercial station with city of license in Lawrence, KS;</p> <p>Tulsa, OK DMA: no station with city of license in KS;</p> <p>Lincoln and Hastings-Kearney, NE DMA: no station with city of license in KS;</p> <p>St. Joseph, MO DMA: no station with city of license in KS;</p> <p>Joplin, MO-Pittsburg, KS DMA: 1 (VHF analog and digital) CBS-affiliated commercial station with city of license in Pittsburg, KS</p>

CRS-38

State	# TV households	Counties in DMAs for which primary city is outside the state DMA: County	# TV households in DMAs for which primary city is outside the state	% of TV households in DMAs for which primary city is outside the state	Currently operating full power broadcast TV stations in DMAs for which primary city is outside the state
Kentucky	1,624,650	<p>Nashville, TN DMA: Trigg, Christian, Todd, Logan, Simpson, Allen, Monroe, Cumberland, Clinton</p> <p>Cincinnati, OH DMA: Kenton, Campbell, Gallatin, Owen, Grant, Pendleton, Bracken, Mason, Roberston, Boone</p> <p>Knoxville, TN DMA: McCreary, Bell, Harlan,</p> <p>Charleston-Huntington, WV DMA: Lewis, Greenup, Carter, Boyd, Elliott, Lawrence, Johnson, Martin, Floyd, Pike</p> <p>Tri-Cities (Kingsport-Johnson City, TN-Bristol, VA) DMA: Letcher, Leslie</p> <p>Evansville, IN DMA: Union, Henderson, Daviess, Hancock, Webster, McLean, Ohio, Hopkins, Muhlenberg</p>	<p>5,380+24,600+4,310+ 10,340+6,500+7,090+ 4,700+2,880+4,080+</p> <p>60,400+35,400+2,960+ 4,080+8,890+5,360+ 3,280+6,850+870+ 35,080+</p> <p>6,520+11,980+12,820+</p> <p>5,550+14,660+10,590+19, 650+2,760+6,070+ 8,880+4,920+16,960+ 27,020+</p> <p>9,930+4,680+</p> <p>5,580+18,360+36,580+ 3,230+5,400+4,050+ 9,070+18,580+12,090= 508,980</p>	31.33%	<p>Nashville, TN DMA: no station with city of license in KY;</p> <p>Cincinnati, OH DMA: 1 (UHF analog and digital) noncommercial station transmitting from Covington, KY, and 1 (UHF analog and digital) noncommercial station transmitting from Owenton, KY;</p> <p>Knoxville, TN DMA: 1 UHF analog commercial station with city of license in Harlan, KY;</p> <p>Charleston-Huntington, WV DMA: 1 (UHF analog and digital) commercial station with city of license in Ashland, KY; 1 (UHF analog and digital) noncommercial station transmitting from Ashland, KY; 1 (UHF analog and digital) noncommercial station transmitting from Pikeville, KY;</p> <p>Tri-Cities (Kingsport-Johnson City, TN-Bristol, VA) DMA: no station with city of license in KY;</p> <p>Evansville, IN DMA: 1 (UHF analog and digital) commercial station with city of license in Madisonville, KY, 1 (UHF analog and digital) noncommercial station transmitting from Madisonville, KY, and 1 (UHF analog</p>

CRS-39

State	# TV households	Counties in DMAs for which primary city is outside the state DMA: County	# TV households in DMAs for which primary city is outside the state	% of TV households in DMAs for which primary city is outside the state	Currently operating full power broadcast TV stations in DMAs for which primary city is outside the state
Louisiana	1,667,710	none	0	0.00%	
Maine	534,740	none	0	0.00%	
Maryland	2,075,720	Washington, DC DMA: Frederick, Washington, Montgomery, Prince George's Charles, Calvert, St. Mary's, Allegheny Pittsburgh, PA DMA: Garrett	77,010+51,710+341,700+298,970+45,330+28,310+32,390+29,350+ 11,270= 916,040	44.13%	Washington, DC DMA: 1 (UHF analog and digital) commercial NBC-affiliated station with city of license in Hagerstown, MD, 1 UHF analog commercial station with city of license in Hagerstown, MD, 1 (UHF analog and digital) noncommercial station transmitting from Hagerstown, MD, and 1 UHF analog noncommercial station transmitting from Frederick, MD Pittsburgh, PA DMA: 1 UHF analog noncommercial station transmitting from Oakland, MD
Massachusetts	2,487,160	Albany-Schenectady-Troy, NY DMA: Berkshire Providence, RI-New Bedford, MA DMA: Bristol	55,730+ 211,920= 267,650	10.76%	Albany-Schenectady-Troy, NY DMA: 1 (UHF analog and digital) ABC-affiliated commercial station that is a satellite of an Albany station with city of license in Adams, MA Providence, RI-New Bedford, MA DMA: no station with city of license in MA

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State	# TV households	Counties in DMAs for which primary city is outside the state DMA: County	# TV households in DMAs for which primary city is outside the state	% of TV households in DMAs for which primary city is outside the state	Currently operating full power broadcast TV stations in DMAs for which primary city is outside the state
Michigan	3,867,220	Green Bay-Appleton, WI DMA: Menominee Toledo, OH DMA: Lenawee South Bend-Elkhart, IN DMA: Berrien, Cass Duluth, MN-Superior, WI DMA: Gogebic	10,760+ 37,380+ 63,850+20,120+ 7,060= 139,170	3.60%	Green Bay-Appleton, WI DMA: no station with city of license in MI (1 VHF analog CBS-affiliated commercial station with city of license in Escanaba, MI is in the Marquette, MI DMA but is a satellite of a Green Bay station); Toledo, OH DMA: no station with city of license in MI; South Bend-Elkhart, IN DMA: no station with city of license in MI; Duluth, MN-Superior, WI DMA: no station with city of license in MI
Minnesota	1,951,070	Sioux Falls, SD DMA: Lincoln, Pipestone, Murray, Rock, Nobles Fargo-Valley City, ND DMA: Kittson, Roseau, Lake of the Woods, Marshall, Pennington, Red Lake, Polk, Clearwater, Norman, Mahnommen, Clay, Becker, Wilkin, Otter Tail La Crosse-Eau Claire, WI DMA: Winona, Houston	2,640+3,940+ 3,670+3,960+7,910+ 2,070+6,300+ 1,820+4,040+5,530+ 1,660+12,480+3,220+ 2,960+1,980+19,260+ 12,130+2,690+22,990+ 19,090+7,820= 148,160	7.59%	Sioux Falls, SD DMA: 1 UHF analog noncommercial station transmitting from Worthington, MN; Fargo-Valley City, ND DMA: 1 VHF analog FOX-affiliated station that is a satellite of a Fargo station with city of license in Thief River Falls, MN; La Crosse-Eau Claire, WI DMA: no station with city of license in MN

CRS-41

State	# TV households	Counties in DMAs for which primary city is outside the state DMA: County	# TV households in DMAs for which primary city is outside the state	% of TV households in DMAs for which primary city is outside the state	Currently operating full power broadcast TV stations in DMAs for which primary city is outside the state
Mississippi	1,059,080	<p>New Orleans, LA DMA: Pearl River, Hancock</p> <p>Memphis, TN DMA: De Soto, Tunica, Coahoma, Quitman, Panola, Tate, Lafayette, Marshall, Benton, Tippah, Alcorn</p> <p>Mobile, AL-Pensacola-Fort Walton Beach, FL DMA: Greene</p> <p>Baton Rouge, LA DMA: Wilkinson, Amite</p>	<p>18,960+18,040+</p> <p>44,080+3,510+9,880+ 3,400+12,680+9,270+ 15,380+12,520+2,970+ 8,130+14,500+</p> <p>4,220+</p> <p>3,590+5,270= 186,400</p>	17.60%	<p>New Orleans, LA DMA: no station with city of license in MS;</p> <p>Memphis, TN DMA: 1 (UHF analog and digital) commercial station with city of license in Holly Springs, MS and 1 UHF analog noncommercial station transmitting from Oxford, MS;</p> <p>Mobile, AL-Pensacola-Fort Walton Beach, FL DMA: no station with city of license in MS;</p> <p>Baton Rouge, LA DMA: no station with city of license in MS</p>

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State	# TV households	Counties in DMAs for which primary city is outside the state DMA: County	# TV households in DMAs for which primary city is outside the state	% of TV households in DMAs for which primary city is outside the state	Currently operating full power broadcast TV stations in DMAs for which primary city is outside the state
Missouri	2,233,240	<p>Omaha, NE DMA: Atchison</p> <p>Jonesboro, AR DMA: Ripley</p> <p>Paducah, KY-Cape Girardeau-Harrisburg, MO-Mount Vernon, IL DMA: Perry, Madison, Bollinger, Cape Girardeau, Carter, Wayne, Butler, Stoddard, Scott, Mississippi, New Madrid, Dunklin, Pemiscot</p> <p>Quincy, IL-Hannibal, MO-Keokuk, IA DMA: Clark, Lewis, Marion, Ralls, Monroe, Shelby, Knox,</p> <p>Ottumwa, IA-Kirksville, MO DMA: Putnam, Schuyler, Scotland, Sullivan, Adair, Macon</p>	<p>2,570+</p> <p>5,250+</p> <p>7,020+4,710+ 4,700+27,510+2,340+ 5,730+16,790+12,120+ 15,770+5,160+7,640+ 13,100+7.670+</p> <p>2,950+4,040+11,000+ 3,880+3,960+2,760+ 1,760+</p> <p>2,260+1,670+1,830+ 2,860+9,540+6,360= 192,950</p>	8.64%	<p>Omaha, NE DMA: no station with city of license in MO;</p> <p>Jonesboro, AR DMA: no station with city of license in MO;</p> <p>Paducah, KY-Cape Girardeau-Harrisburg, MO-Mount Vernon, IL DMA: 1 (UHF analog and digital) FOX-affiliated commercial station with city of license in Cape Girardeau, MO, 1 (VHF analog and digital) CBS-affiliated commercial station with city of license in Cape Girardeau, and 1 UHF analog commercial station that is a satellite of a Harrisburg, IL station with city of license in Poplar Bluff, MO;</p> <p>Quincy, IL-Hannibal, MO-Keokuk, IA DMA: 1 (VHF analog and digital) CBS- affiliated commercial station with city of license in Hannibal, IL</p> <p>Ottumwa, IA-Kirksville, MO DMA: no station with city of license in MO</p>

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State	# TV households	Counties in DMAs for which primary city is outside the state DMA: County	# TV households in DMAs for which primary city is outside the state	% of TV households in DMAs for which primary city is outside the state	Currently operating full power broadcast TV stations in DMAs for which primary city is outside the state
Montana	354,900	Spokane, WA DMA: Lincoln Minot-Bismarck-Dickinson, ND DMA: Sheridan, Daniels, Roosevelt, Richland, McCone, Wibaux Rapid City, SD DMA: Carter	7,370+ 1,520+890+3,420+ 3,750+780+390+ 480= 18,600	5.24%	Spokane, WA DMA: no station with city of license in MT; Minot-Bismarck-Dickinson, ND DMA: no station with city of license in MT; Rapid City, SD DMA: no station with city of license in MT

CRS-44

State	# TV households	Counties in DMAs for which primary city is outside the state DMA: County	# TV households in DMAs for which primary city is outside the state	% of TV households in DMAs for which primary city is outside the state	Currently operating full power broadcast TV stations in DMAs for which primary city is outside the state
Nebraska	675,030	<p>Denver, CO DMA: Kimball, Cheyenne, Deuel, Keith, Garden, Grant, Hooker, Dawes, Box Butte</p> <p>Wichita-Hutchinson, KS DMA: Dundy</p> <p>Sioux Falls, SD DMA: Cherry</p> <p>Sioux City, IA DMA: Dakota, Thurston, Dixon, Cedar, Wayne, Stanton, Knox, Pierce, Madison</p> <p>Rapid City, SD DMA: Sioux, Sheridan, Morrill, Banner</p> <p>Cheyenne, WY-Scottsbluff, NE DMA: Scottsbluff</p>	<p>1,690+4,070+890+ 3,620+980+290+290+ 3,380+4,670+</p> <p>860+</p> <p>2,420+</p> <p>7,270+2,190+2,380+ 3,580+3,380+2,280+ 3,700+2,880+13,450+</p> <p>590+2,460+2,070+ 300+</p> <p>14,870= 84,560</p>	12.53%	<p>Denver, CO DMA: 1 (VHF analog and digital) noncommercial station transmitting from Alliance, NE;</p> <p>Wichita-Hutchinson, KS DMA: no station with city of license in NE;</p> <p>Sioux Falls, SD DMA: 1 (VHF analog and digital) noncommercial station transmitting from Merriman, NE;</p> <p>Sioux City, IA DMA: 1 (UHF analog and digital) noncommercial station transmitting from Norfolk, NE;</p> <p>Rapid City, SD DMA: no station with city of license in NE;</p> <p>Cheyenne, WY-Scottsbluff, NE DMA: 1 (VHF analog and digital) ABC-affiliated commercial station with city of license in Hay Springs, NE and 1 (VHF analog and digital) CBS-affiliated commercial station that is a satellite of a Cheyenne station with city of license in Scottsbluff, NE</p>
Nevada	833,960	Salt Lake City, UT DMA: Elko, Eureka, White Pine	15,390+560+2,730= 18,680	2.24%	Salt Lake City, UT DMA: 1 VHF analog NBC-affiliated commercial station with city of license in Elko

CRS-45

State	# TV households	Counties in DMAs for which primary city is outside the state DMA: County	# TV households in DMAs for which primary city is outside the state	% of TV households in DMAs for which primary city is outside the state	Currently operating full power broadcast TV stations in DMAs for which primary city is outside the state
New Hampshire	498,150	<p>Portland-Auburn, ME DMA: Coos, Carroll</p> <p>Burlington, VT-Plattsburgh, NY DMA: Grafton, Sullivan</p> <p>Boston, MA-Manchester, NH DMA: Cheshire, Hillsborough, Belknap, Merrimack, Strafford, Rockingham</p>	<p>14,090+19,150+</p> <p>32,570+16,910+</p> <p>28,940+151,430+ 24,310+55,020+44,910+11 0,820= 498,150</p>	100.00%	<p>Portland-Auburn, ME DMA: no station with city of license in NH;</p> <p>Burlington, VT-Plattsburgh, NY DMA: 1 (UHF analog and digital) noncommercial station transmitting from Littleton, NH;</p> <p>Boston, MA-Manchester, NH DMA: 1 (VHF analog and digital) ABC- affiliated commercial station with city of license in Manchester, NH, 1 (UHF analog and digital) Telemundo-affiliated station with city of license in Merrimack, NH, 1 (UHF analog and digital) commercial station with city of license in Derry, NH, 1 UHF analog commercial satellite of a Boston station with city of license in Concord, NH, 1 (VHF analog and digital) noncommercial station transmitting from Durham, NH, and 1 (UHF analog and digital) noncommercial station transmitting from Keene, NH</p>